

Wetlands Bureau Decision Report

Decisions Taken
05/22/2006 to 05/28/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2003-01458 EXETER COOPERATIVE SCHOOL DISTRICT, SAU #16 **EXETER Unnamed Wetland**

Requested Action:

Original permit reads: fill a total of 188,891 sq. ft., or 4.33 acres of freshwater wetlands, as well as upland work adjacent to prime wetlands, to construct a new 2,000 student regional high school with associated athletic fields and parking on an 118.3 acre former horse farm race stable site on Old Town Farm Road, Exeter, and associated mitigation consisting of preservation of 45.75 acres on site, of which 26.7 acres are wetland, including all designated prime wetlands on the property, and 19.05 acres is upland buffer habitat, all associated with Fresh River system. Off-site mitigation consists of 36 acres at the Linden Street existing high school site, encompassing 11.7 acres of the Little River prime wetlands and its associated wetlands, and 24.3 acres of uplands. The applicant further proposes to construct two vernal pools on-site to replace the vernal pool to be impacted; as well as conduct wetland construction and restoration at the Linden Street site, to improve the water quality of the wetlands. This shall be designed in coordination with local, state, and federal agencies.

Amend original permit with the following change: Fill an additional 863 sq. ft. of wetland to widen the main access road off NH Route 27 to accommodate a dedicated right lane driveway entrance.

Inspection Date: 09/25/2003 by Dori A Wiggin

Inspection Date: 09/25/2003 by Christina Altimari

Inspection Date: 04/15/2005 by David A Price

APPROVE AMENDMENT:

Original permit reads: fill a total of 188,891 sq. ft., or 4.33 acres of freshwater wetlands, as well as upland work adjacent to prime wetlands, to construct a new 2,000 student regional high school with associated athletic fields and parking on an 118.3 acre former horse farm race stable site on Old Town Farm Road, Exeter, and associated mitigation consisting of preservation of 45.75 acres on site, of which 26.7 acres are wetland, including all designated prime wetlands on the property, and 19.05 acres is upland buffer habitat, all associated with Fresh River system. Off-site mitigation consists of 36 acres at the Linden Street existing high school site, encompassing 11.7 acres of the Little River prime wetlands and its associated wetlands, and 24.3 acres of uplands. The applicant further proposes to construct two vernal pools on-site to replace the vernal pool to be impacted; as well as conduct wetland construction and restoration at the Linden Street site, to improve the water quality of the wetlands. This shall be designed in coordination with local, state, and federal agencies.

Amend original permit with the following change: Fill an additional 863 sq. ft. of wetland to widen the main access road off NH Route 27 to accommodate a dedicated right lane driveway entrance.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering, Inc. dated June 26, 2003, as received by the Department on July 11, 2003 and plan dated August 17, 2005, as received by the Department on August 24, 2005.
2. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Portsmouth, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. This permit is contingent upon DES' receipt of a final project plan showing one main access to the property, through the property currently owned by Frank and Linda Pickard.
5. The permittee, as agreed, shall relinquish permit 2001-392 for filling 4,987 sq. ft. for ball field construction in Kensington, which is no longer needed.
6. This permit is contingent upon the submission to and approval by DES of vernal pool and wetland construction and restoration plans for the areas included in the conservation easements, which are proposed as mitigation.
7. This permit is contingent upon the submission to and approval by DES of a vernal pool and wetland construction and restoration

monitoring plan.

8. This permit is contingent upon the submission to and approval by DES of a wetland buffer planting plan for the areas on the property where roadways or parking areas directly abut wetlands.
9. The details of all construction and restoration plans shall be developed in coordination with DES, the Exeter Conservation Commission, ACOE, EPA, and USFWS.
10. A copy of the finalized turf management plan shall be submitted to DES.
11. This permit is contingent on approval or sign off by the DES Dam Safety Program.
12. Prior to installation of irrigation systems, pump test results shall be submitted to DES to demonstrate that there shall be no draw down or other negative impacts to wetlands or prime wetlands associated with the withdrawal. If it is found that withdrawal has the potential to cause negative wetlands impact, then the permittee shall adjust its water needs and usage accordingly to avoid to prevent those impacts from occurring.
13. This permit is contingent on approval or other authorization by the DES Site Specific Program.
14. This permit is contingent on approval by the DES Subsurface Systems Bureau.
15. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
16. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
17. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
18. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
20. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. De-watering water shall be discharged away from water bodies, on stable surfaces, in a non erosive manner. Additionally, all turbid trenches dewatering discharged within one-hundred (100) feet of any waterbody shall be discharged through a filter bag.
21. The permittee shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland.
22. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
24. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
25. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
26. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
27. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

Land Resources Preservation:

28. This permit is contingent upon removal by the permittee of all unauthorized structures and accumulated trash in and adjacent to the Little River and its wetlands at the Linden St. property. The permit is further contingent upon creation and compliance with a yearly clean-up and maintenance program to maintain the portion of the Little River and its wetlands on the school property in a waste-free condition. The permittee shall notify DES on a yearly basis with documentation showing that the yearly clean-up has been done to the satisfaction of DES.
29. This permit is contingent upon demonstration by the Applicant that the Exeter Conservation Commission (or other appropriate town or suitable entity) is willing to accept the conservation easement deeds.
30. This permit is contingent upon the execution of a conservation easement on 81.75 acres, consisting of 45.75 acres on site and, and 36 acres off-site on Linden Street, as depicted on plans received July 11, 2003.
31. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

32. Final conservation easement language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval.
33. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office, and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.
34. The applicant shall submit seasonal monitoring reports monitoring the health of the wetlands construction and restoration areas over a period of 5 years post-development to ensure that the created vernal pool is functioning at the same or better level of function as the existing vernal pool on-site.
35. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
36. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
37. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
38. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

Wetland Construction and Restoration:

39. The details of all construction and restoration plans shall be developed in coordination with DES, the Exeter Conservation Commission, ACE, EPA, and USFWS.
40. The schedule for vernal pool and wetland construction and restoration within the conservation easement areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
41. Wetland creation and restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
42. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
43. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
44. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in five years following the completion of each mitigation site.
45. Wetland (creation/restoration) areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
46. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
47. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
48. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. The Exeter Regional Cooperative School District, ("SAU 16"), represents six seacoast towns: Exeter, Stratham, Newfields, Brentwood, Kensington, and East Kingston.
2. On 7/11/03 DES received the current application, 2003-1458, from SAU 16 to fill a total of 188,891 sq. ft., or 4.33 acres of freshwater wetlands, as well as upland work adjacent to prime wetlands, to construct a new 2,000 student regional high school with associated athletic fields and parking on an 118.3 acre former horse farm race stable site on Old Town Farm Rd., Exeter.

3. Mitigation proposed for this application consists of preservation of 45.75 acres on site, of which 26.7 acres are wetlands, including all designated prime wetlands on the property, and 19.05 acres are upland buffer habitat, all associated with the Fresh River system. Off-site mitigation consists of 36 acres at the Linden St. existing high school site, encompassing 11.7 acres of the Little River prime wetlands and its associated wetlands, and 24.3 acres of uplands, which were the subject of prior applications 98-1143 and 2002-492.

4. On August 8, 2003, DES conducted a prime wetlands public hearing for the proposed project.

5. On October 20, 2003 the record of the August 8, 2003 hearing closed.

6. On November 7, 2003 DES issued an approval to fill a total of 188,891 sq. ft., or 4.33 of freshwater wetlands, as well as upland work adjacent to prime wetlands, to construct a new 2,000 student regional high school with associated athletic fields and parking on an 118.3 acre former horse farm race stable site on Old Town Farm Rd., Exeter, as well as associated mitigation, as described in finding 3.

7. On November 25, 2003 DES received a request for reconsideration from Anthony Callendrello.

8. Mr. Callendrello asserts that the permittee has failed to properly assess whether the impacts are necessary, unavoidable, and associated with the least impacting alternative, citing the potential use of administrative controls on parking to reduce lot size; that the SAU's needs are "overstated"; that DES never questioned whether there were alternatives to the design requirements.

9. DES denies the assertion of finding 8. DES finds that the applicant has made an appropriately substantiated representation of facility size and needs, including athletics and parking, based on industry guidelines and analysis of program needs. As stated in the original findings, the new facility is necessary to meet projected enrollment for a six town cooperative school district for the next 10-20 years. DES endorses long range planning to evaluate impacts comprehensively, thus avoid piecemeal development which results in greater impacts over time. The student population, current and projected, is based on a combination of regional growth rates and student population. The applicant then used a conservative application of school building size guidelines established by the New England Association for Schools and Colleges. At the request of DES, the applicant had previously supplied DES with a detailed analysis of athletic programs and the fields necessary to support those programs, which examined field availability in all SAU 16 towns, and established a master plan for maximizing field use, relative to the previous plan to redevelop the old high school. The current proposal consolidates this fragmented field use into one location.

With respect to DES not questioning alternatives, DES has been involved with the evolution of the upgrade/ expansion of this district's high school since 1998. In the ensuing six years DES had numerous contacts with the applicant and their consultants through application review meetings, three public hearings, and written and verbal communications in the review of applications 98-1143 and 2002-492. Throughout this time DES worked with the applicant to develop the applicant's knowledge of wetlands regulations and the requirements necessary for an approvable project. For the previous proposals DES required extensive alternatives examination, plan revisions, and mitigation development. DES was immediately engaged in the new proposal at the pre-application stage. DES and Federal regulators met with the applicant and their consultants to provide guidance as to how to design the project in the least impacting way. DES met with the applicant to provide guidance on this application four times in approximately six months. The application the SAU ultimately submitted was the culmination of years of coordination between DES, Army Corps and other federal agencies, and the applicant.

10. Mr. Callendrello asserts that the permittee has failed to properly assess, and DES failed to consider project impacts to surface or ground water.

11. DES denies the assertion of finding 10. Issues with respect to storm water run-off, hydrologic changes, watershed, and the contention that DES has unlawfully delegated review from the wetlands law to other areas of review within DES, are either incorrect or addressed by other laws administered by DES. The wetlands law, RSA 482-A, is not the appropriate means by which impacts to water quality resulting from upland activities are regulated. The Legislature's intent is clear in terms of the purpose and means by which each environmental resource element will be protected, and are regulated as follows:

a. In contrast to RSA 482-A, entitled "Fill and Dredge in Wetlands", Chapter 485-A entitled "Water Pollution and Waste Disposal", clearly states in 485-A:1, Declaration of Purpose: "The purpose of this chapter is to protect water supplies, to prevent pollution in the surface and ground waters of the state and to prevent nuisances and potential health hazards. In exercising any and all powers conferred upon the department of environmental services under this chapter, the department shall be governed solely by criteria relevant to the declaration of purpose set forth in this section. RSA 485-A:4 Duties of Department further states "It shall be the duty of the department and the department is authorized:

I. To exercise general supervision over the administration and enforcement of this chapter.

II. To study and investigate all problems connected with the pollution of the surface waters or ground waters of the state."

b. With respect to the protection of surface water quality, RSA 485-A:8 states "It shall be the overall goal that all surface waters attain and maintain specified standards of water quality to achieve the purposes of the legislative classification." And further in paragraph II: "There shall be no disposal of sewage or waste into said waters except those which have received adequate treatment to prevent the lowering of the biological, physical, chemical or bacteriological characteristics below those given above, nor shall

such disposal of sewage or waste be inimical to aquatic life or to the maintenance of aquatic life in said receiving waters..."

c. With respect to storm water run-off protection RSA 485-A:17, entitled "Alteration of Terrain states "Any person proposing to dredge, excavate, place fill, mine, transport forest products or undertake construction in or on the border of the surface waters of the state, and any person proposing to significantly alter the characteristics of the terrain, in such a manner as to impede the natural runoff or create an unnatural runoff, shall be

directly responsible to submit to the department detailed plans concerning such proposal and any additional relevant information requested by the department, at least 30 days prior to undertaking any such activity. The operations shall not be undertaken unless and until the applicant receives a permit from the department." This permit is independent of the wetlands permit, and administered under its own set of Administrative Rules, Env-Ws 415.

d. With respect to the impact of septic systems, RSA 485-A:29-46, entitled Sewage Disposal Systems, RSA 485-A:32,I, Prior Approval; Permits states "No person shall construct any building from which sewage or other wastes will discharge or construct a sewage or waste disposal system without prior approval of the plans and specifications of the sewage or waste disposal system by the department."

RSA 485-A:34, II, and IV, state "Lot sizes will be in accordance with the type of soil and its ability to absorb wastes without polluting water supplies or adjoining waters" and that "the department may reject applications for septic tank disposal systems in those areas where there is already a high concentration of septic tanks on adjacent, contiguous or nearby areas or if the application is an obvious expansion, addition or annexation to an area which has already reached the maximum allowable concentration of sewage disposal through septic tanks and leaching systems.

RSA 485-A:37 Maintenance and Operation of Subsurface Septic Systems, further states "Any person who has installed or otherwise acquired a subsurface sewage or waste disposal system installed in accordance with the provisions of this subdivision is required to operate and maintain said system in such a manner as to prevent a nuisance or potential health hazard due to failure of the system.

RSA 485-A:41 III states that construction of systems which would pollute the surface waters or ground waters of the state are prohibited, until an acceptable and practicable method exists which will prevent the pollution. With respect to private wells, the Department's regulatory authority is limited to assuring that a protective well radius is maintained on site on newly created lots, as specified in Administrative Rules Chapter Env-Ws 1000, "Subdivision and Individual Sewage Disposal System Design Rules", as specified in Part Env-Ws 1008, Sections Env-Ws 1008.04, 1008.05, 1008.06 relative to protective well radii.

Further, it is standard and established practice for DES to coordinate internally as an agency and rely on its own agency files without duplicating files to every other related file within the agency.

12. Mr. Callendrello asserts that DES improperly considered budgetary constraints in assessing the feasibility of alternatives.

13. DES denies the assertion of finding 12. Wt 302.04(d)(1) states that DES shall not issue a permit if there is a practicable alternative that would have less impact. DES finds that the alternative that the applicant proposes represents the least impacting practicable alternative. An alternative is determined to be "practicable" if it is available and capable of being done after taking into consideration cost, existing technology and logistics, in light of overall project purposes, therefore budgetary constraints, particularly for a public project expending taxpayer money, are an appropriate consideration in the determination of practicable alternatives.

14. Mr. Callendrello asserts that the decision of DES violates RSA Chapter 9-B.

15. DES denies the assertion of finding 14. RSA 9-B:4 requires state agencies to "give due consideration to the state's policy on smart growth under RSA 9-B:2 when providing advice or expending state or federal funds, for their own use or as pass-through grants, for public works, transportation, or major capital improvement projects, and for the construction ... of facilities." The section also states that "[t]he intent of this action is that new investments and grants for existing sites and buildings in existing community centers will be given preference over investments in outlying areas where that is a practical solution for the use and community in question." DES is not expending funds or pass-through grants for this project on its own behalf, nor does the construction of a municipal cooperative high school qualify as a project to which such expenditures would apply, therefore the requirements of RSA 9-B do not apply to wetlands review.

16. Mr. Callendrello asserts that DES was unclear as to when permit conditions were to be satisfied.

17. DES denies the assertion of finding 16. Making a permit contingent upon fulfillment of conditions implies that the validity of the permit is always subject to the permittee's compliance with those conditions on an immediate and on-going basis. Compliance is monitored by DES through the permittee's submission of monitoring reports; pre-construction meetings; construction compliance monitoring by DES. If, at any time, DES finds that the permittee is not accomplishing compliance with the conditions, DES may take enforcement action, including

revocation of the permit. To date, the permittee has completed compliance with permit conditions 1-9, 11, 13, 14, 25, 26, 27, and 35, and is actively engaged with DES in compliance with the other conditions related to construction and mitigation, which demonstrates good faith compliance efforts with this project thus far.

2004-02537 FEREN REVOC TRUST 2003, CARL & ELIZABETH
DOVER Unnamed Wetland

Requested Action:

Approve name change request to: Farm Haven Development Associates, LLC, 15 Hanson Street, Unit E, Dover, NH, 03820 per request received May 12, 2006.

Conservation Commission/Staff Comments:

The Dover Conservation Commission endorses the project.

Inspection Date: 03/28/2005 by Eben M Lewis

APPROVE NAME CHANGE:

Impact a total of 21,028 sq. ft. of palustrine forested wetland to include permanently filling 9,472 sq. ft to create a roadway and temporarily impact 11,556 sq. ft. for the installation of a sewer main for a 32-lot residential subdivision on a 64.143 acre parcel of land of which 34.31 acres is dedicated as open space.

With Conditions:

1. All work shall be in accordance with plans by Tritech Engineering Corporation dated August 20,2004 with revisions through January 18, 2005, as received by the Department on March 07, 2005.
2. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Site Specific Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
7. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Record Conditional Use Permit plan with conservation easement for each appropriate lot within 10 days from receipt of this decision and submit a certified receipt from the Strafford County Registry of Deeds to the DES Wetlands Bureau.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Coastal Office in Portsmouth, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
10. Work shall be done during low flow.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Area of temporary impact shall be regraded to original contours following completion of work.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
18. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.02(b).

2006-00431 TRANSCANADA HYDRO NORTHEAST INC
HINSDALE Connecticut River

Requested Action:

Excavate 403 cubic yards of bedrock impacting 5,400 square feet of the bed of the Connecticut River within the powerhouse of a hydroelectric dam to replace four turbine generating units.

APPROVE PERMIT:

Excavate 403 cubic yards of bedrock impacting 5,400 square feet of the bed of the Connecticut River within the powerhouse of a hydroelectric dam to replace four turbine generating units.

With Conditions:

1. All work shall be in accordance with plans by Hatch Acres Corporation dated October 19, 2005 and December 8, 2005, as received by the DES Wetlands Bureau on March 1, 2006 and the narrative entitled "Vernon Hydroelectric Station Project Description" by TransCanada and The Louis Berger Group, Inc., as received by the DES Wetlands Bureau on March 1, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Extreme caution should be taken to avoid releases of turbidity to the river during dredging.
5. Dredged material shall be dewatered in settling basins that are located outside of the jurisdiction of the DES Wetlands Bureau and lined with acceptable sediment trapping liners.
6. Prior to commencing work on the dam, cofferdams shall be constructed to isolate the work area from the river. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Dredging and cofferdam construction shall be done so as not to impede fish migrations or interfere with fish spawning areas.
8. Discharge from dewatering of work areas shall be to settling basins that are located outside of the jurisdiction of the DES Wetlands Bureau and lined with acceptable sediment trapping liners.
9. Temporary cofferdams, sandbags, and hay bales shall be entirely removed immediately following construction completion.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks;
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. For approximately 13 years, four turbine generating units in the hydroelectric dam have been either retired or been in disrepair due to their age and outdated design. The four units are being replaced with updated units. The bedrock excavation is necessary to accommodate the updated design of the units.
3. Wetlands and Non-Site Specific Permit 2005-03035 was approved on February 10, 2006 for the maintenance dredging of silt and woody debris from the trash racks and draft tubes of the hydroelectric dam and construction of temporary sheet-pile cofferdams in the bed of the Connecticut River in preparation for the replacement of the turbine generating units.
4. Temporary cofferdams were installed to maintain the work site in a dewatered condition for replacement of the turbine

generating units. The cofferdams will be removed following construction completion.

5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

7. Bedrock within the powerhouse was excavated to its present level during the construction of the Vernon Hydroelectric Project in about 1907.

8. The method for removing bedrock will utilize small ram hoes, jack hammers, and drilling along with expansion materials inserted into borings to fracture the bedrock and an overhead station crane to lift materials to containers for offsite disposal.

9. The Connecticut River Joint Commissions submitted comments to the DES Wetlands Bureau (received January 11, 2006) stating they have no objection to the proposal for work associated with the replacement of the turbine generating units.

10. The Wantastiquet Region River Subcommittee submitted comments to the DES Wetlands Bureau (received March 27, 2006) recommending that the project proceed as planned.

11. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department (NHFGD) identified that the proposed project has the potential to impact anadromous fish that use the Connecticut River and an active bald eagle nest approximately 1,125 feet downstream of the dam. To minimize impacts to these species, NHFGD originally requested that active construction occur within the river between November 1 and April 1. On January 25, 2006, the applicant met with the US Fish and Wildlife Service (USFWS) and NHFGD to address potential wildlife impacts. The parties concluded that disturbance and excessive noise from construction activities should be minimal and the original date restrictions were removed.

12. The applicant has consulted with the USFWS and the NHFGD to determine a satisfactory construction schedule that should not affect passage for both up and downstream migratory fish.

13. The applicant has stated that based upon noise level calculations supported by field measurements, the bedrock excavation from within the powerhouse should not disturb bald eagle nesting activity downstream of the dam. The applicant has stated that because the ambient noise level at the nest is significantly higher than the predicted construction noise, it should essentially mask any noise related to the proposed project.

14. The applicant will be undergoing the appropriate permitting processes associated with the Federal Energy Regulatory Commission (FERC) and the DES Watershed Management Bureau Section 401 Water Quality Certification to replace the turbine generating units.

15. The DES Wetlands Bureau finds that a public hearing is not required since the project does not propose significant impact on resources protected by RSA 482-A and the project is not of substantial public interest, as required by RSA 482-A:8.

2006-00616 CAMP SPOFFORD FREE CHURCH
CHESTERFIELD Spofford Lake

Requested Action:

Replenish 10,350 sq ft beach with 50 cu yd of sand on 650 ft of shoreline on Spofford Lake in Spofford.

APPROVE PERMIT:

Replenish 10,350 sq ft beach with 50 cu yd of sand on 650 ft of shoreline on Spofford Lake in Spofford.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on March 29, 2006.
2. No more than 50 cu yd of sand may be used and all sand shall be located above the normal high water line.
3. This permit shall be used only once, and does not allow for annual beach replenishment.
4. If NHDOT's replacement of the culvert as authorized by permit 2005-00779 does not solve water diversion issues, the permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
5. Area shall not be replenished more than once within 6 years without a new permit with Wetlands Bureau approved stamped plans from a professional certified in erosion and sediment control to provide appropriate stormwater diversions away from the existing beach.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall be removed when disturbed area becomes completely stabilized.

7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(o), beach replenishment with 50 cu yd of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 26, 2006. Field inspection determined that no pile of sand has been delivered as implied in complaint received April 14, 2006.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
7. This project does not require the approval of the Governor and Executive Council since no work is proposed or authorized below the normal high water line.

MINOR IMPACT PROJECT

2005-01627 BROWN, NORMAN
GREENVILLE Unnamed Wetland

Requested Action:

Dredge and fill 9,676 square feet of palustrine emergent wetlands and 90 linear feet of intermittent stream to install one (1), 18-inch x 65-foot culvert and associated outlet protection and construct an access road for a temporary raw materials processing and distribution facility.

Conservation Commission/Staff Comments:

The Greenville Conservation Commission submitted comments to the DES Wetlands Bureau (received April 23, 2006) stating that the revised submission is an improvement over the prior submission.

APPROVE PERMIT:

Dredge and fill 8,600 square feet of palustrine emergent wetlands and 109 linear feet of intermittent stream to install one (1), 36-inch x 52-foot culvert and one (1), 18-inch x 80-foot culvert and associated outlet protection and construct an access road for a temporary raw materials processing and distribution facility.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 27, 2006 (revised), as received by the DES Wetlands Bureau on February 1, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All work shall be done during low flow.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.

10. Silt fence(s) must be removed once the area is stabilized.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Proper headwalls shall be constructed within seven days of culvert installation.

13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

15. Faulty equipment shall be repaired prior to entering jurisdictional areas.

16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The impacts are necessary for the construction of an access road for a temporary raw materials processing and distribution facility.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The commercial development was configured to avoid impacts to the larger wetlands complex on the subject property and a perennial stream which crosses the southeastern corner of the subject property, and to minimize wetlands impacts by crossing wetlands at the narrowest points for construction of the access road.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. On October 14, 2005, DES Wetlands Bureau staff met with the applicant and the applicant's agent to discuss the reasons for denial of the original permit application and measures to address these reasons. DES Wetlands Bureau staff agreed that if proposed wetlands impacts were relocated to at least 20 feet from the abutting property line per Wt 304.04, a permit could be approved. The applicant was given the option of amending the existing application or filing a new application. Either option would require re-notification of the abutters and a review by the Town Conservation Commission.

6. The applicant submitted a written request for reconsideration dated October 21, 2005, and received by the DES Wetlands Bureau on October 24, 2005, stating that a revised project proposal would be submitted including realignment of the proposed access road, regrading of the realigned section, recalculation of the disturbance area, and requesting an amendment to the existing application.

7. The applicant has realigned the proposed access road so that wetlands impacts do not occur within 20 feet of the abutting property line.

8. Per Wt 304.04, a written agreement from the abutter is not required for the new proposal to impact wetlands.

9. The applicant's agent has stated that the revised design has taken into consideration potential impacts to abutting property owners. The agent's report states that the revised plans include the proposal of two cross-culverts under the proposed access road and that the placement and size of the culverts have been designed to accommodate the 25-year frequency storm without impounding water onto the abutting property to the north.

10. The Greenville Conservation Commission submitted comments to the DES Wetlands Bureau (received April 23, 2006) stating that the revised submission is an improvement over the prior submission.

11. This permit is contingent on approval by the DES Site Specific Program and the DES Subsurface Systems Bureau.

Requested Action:

Install a 6 ft x 125 ft common seasonal pier on a shared property line by properties identified as 165 and 151 Pendleton Road, Laconia, NH on frontage totalling 206 ft. on Lake Winnepesaukee.

APPROVE PERMIT:

Install a 6 ft x 125 ft common seasonal pier on a shared property line by properties identified as 165 and 151 Pendleton Road, Laconia, NH on frontage totalling 206 ft. on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans , as received by the Department on May 9, 2006.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by both Permittees for both properties. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. These shall be the only docking structures on the two parcel continuous water frontage and all portions of the pier shall be at least 20 ft from abutting property lines and their extensions over the water.
4. Seasonal pier shall be removed from the lake for five months during the non-boating season.
5. No portion of the pier shall extend more than 125 feet from the shoreline at full lake elevation.
6. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for five months during the non-boating season.
7. Seasonal boat lifts shall be removed from the lake for five months during the non-boating season.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with Administrative Rule Wt 402.02(b)(2)&(4), dated water depths as received by the Department on May 23, 2006 justify the 125 ft dock length for adequate boatslip depths on the combined frontage.
6. NHDES determined that a common dock on a shared property line concentrates considerable potential surface area constructed over water, and has deemed that the proposal provides the least impacting alternative under Wetlands Bureau jurisdiction as per Administrative Rule Wt 302.03.

2006-00354 CLAREMONT, CITY OF
CLAREMONT Sugar River

Requested Action:

Dredge and fill 2,728 square feet of riverbank, including 2,503 square feet (533 square feet permanent impacts) for the construction of a bridge abutment for a pedestrian bridge over the Sugar River and 225 square feet (75 square feet permanent impacts) for the replacement of a stormwater drainage outfall, impacting 74 linear feet of riverbank (31 linear feet permanent impacts).

APPROVE PERMIT:

Dredge and fill 2,728 square feet of riverbank, including 2,503 square feet (533 square feet permanent impacts) for the construction of a bridge abutment for a pedestrian bridge over the Sugar River and 225 square feet (75 square feet permanent impacts) for the replacement of a stormwater drainage outfall, impacting 74 linear feet of riverbank (31 linear feet permanent impacts).

With Conditions:

1. All work shall be in accordance with plans by McFarland-Johnson, Inc. dated May 15 2006, as received by the DES Wetlands

Bureau on May 15, 2006.

2. This permit is contingent on approval by the DES Site Specific Program.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. All work shall be done during low flow.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Silt fence(s) must be removed once the area is stabilized.
11. Work shall be conducted in a manner that avoids discharges of sediments to surface waters and wetlands.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The stormwater drainage outfall outlet shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
14. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
15. Areas of temporary impact shall be restored to their pre-construction conditions, including restoration of original grades, following completion of work.
16. Stream banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
17. Wetland or streambank restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found in the project vicinity during this same period.
18. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to working in or adjacent to surface waters or wetlands.
20. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The impacts are necessary for the construction of a bridge abutment for a pedestrian bridge over the Sugar River and the replacement of an existing substandard stormwater drainage outfall. The proposed projects are part of the City of Claremont's downtown mill neighborhood revitalization project. The proposed bridge will provide a link between the historic mill districts on the north and south sides of the Sugar River. Replacement of the stormwater drainage outfall is part of road reconstruction and drainage system improvements associated with the redevelopment project.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. The proposed projects do not require permanent impacts below the ordinary high water mark of the river.

6. The applicant explored two options for bridge construction: single-span and two-span bridge geometry arrangements. The two-span configuration would require the abutment to be constructed within the 100-year floodplain. The single-span configuration does result in slightly greater wetlands impacts than the two-span alternative but does not encroach on the 100-year floodplain. The proposed bridge abutment is located upslope of the 100-year flood elevation in order to avoid floodway encroachment.

7. The bridge construction will involve bank impacts on the south side of the river to construct the bridge abutment. Construction on the north side of the river is confined to areas outside of the jurisdiction of the DES Wetlands Bureau. The north end of the bridge will be located above the north bank of the river near a concrete wall foundation remnant from a previously razed mill building.

8. The road reconstruction and drainage improvements associated with the redevelopment project will separate the stormwater and sanitary sewer flow and eliminate the potential for the sanitary sewer flow to overflow into the Sugar River. The proposed stormwater drainage outfall will be the discharge point for the closed drainage system improvements. The proposed outfall will be a 36-inch plastic drainage pipe with stone apron outlet protection to protect the riverbank from erosion. Two proposed closed drainage systems will discharge to this point. At the downstream end of these systems, before they discharge to the river, a mechanical treatment unit will be installed to remove 80% of the total suspended solids for the first 1/2" of rainfall. The proposed drainage system is an improvement over the existing drainage system since it eliminates the potential for sanitary sewer flow to the river and provides treatment for more frequent storm events.

9. The rip-rap apron at the outlet of the stormwater drainage outfall will be constructed above the ordinary high water mark of the river.

10. The applicant contacted the NH Fish and Game Department (NHFGD) regarding potential impacts of the proposed project on the Common nighthawk, a State threatened species, which nests near the project area. NHFGD responded that no impacts are expected as a result of the proposed project.

11. The applicant contacted the NH Natural Heritage Bureau (NHB) regarding protected species in the vicinity of the proposed project. NHB responded that there were several historical listings of rare plants in the project vicinity but that no impacts are anticipated as a result of the proposed project.

12. The applicant coordinated with the NH State Historic Preservation Office (SHPO) to assess the potential impacts of the proposed project on historical resources. SHPO found the proposed projects to have no adverse effects on historical or archaeological resources.

2006-00496 VINWOOD DEVELOPMENT CO LLC, DAVID R MARCELLO
WEBSTER Unnamed Stream Wetlands

Requested Action:

Impact a total of 8358 square feet of jurisdiction further described as follows: Impact 5525 square feet of palustrine forested wetland and 2143 square feet of perennial stream with a combined length of 126 linear feet of bank impact for driveway and roadway access in the subdivision of 18 acres into 7 single family residential lots and restore 680 square feet of forested wetland impacted by the previous owner.

APPROVE PERMIT:

Impact a total of 8358 square feet of jurisdiction further described as follows: Impact 5525 square feet of palustrine forested wetland and 2143 square feet of perennial stream with a combined length of 126 linear feet of bank impact for driveway and roadway access in the subdivision of 18 acres into 7 single family residential lots and restore 680 square feet of forested wetland impacted by the previous owner.

With Conditions:

1. All work shall be in accordance with plans by A. C. Engineering & Consulting dated October 26, 2005, and revised through January 17, 2006 as received by the Department on March 8, 2006 and Subdivision Plans by JE Belanger revised through January 26, 2006, as received by the Department on March 8, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this

approval.

5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Proper headwalls shall be constructed within seven days of culvert installation.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. Silt fencing must be removed once the area is stabilized.
22. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
23. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

Restoration Conditions:

24. This permit is contingent upon the restoration of 680 sq. ft. of wetlands in accordance with plans received March 8, 2006.
25. The schedule for the restoration shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
26. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
27. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
28. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions

shall be undertaken in at least the second year following the completion of the restoration area.

29. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

30. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

31. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of restoration.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f) and Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2006-00454 HUSSEY, DAVID & NANCY
ALTON Unnamed Wetland

Requested Action:

Confirm Emergency Authorization to replace a washed out rock ford with two 24-inch x 60 foot culverts and associated rip-rap and remove 525 square feet of sediment from jurisdiction.

APPROVE PERMIT:

Replace a washed out rock ford with two 24-inch x 60 foot culverts and associated rip-rap and remove 525 square feet of sediment from jurisdiction.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minor impact project per Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The project was necessary to maintain access to the existing working gravel pit and to clear sediment from jurisdiction as a result of a flooding event.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on October 10, 2006.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance

with the emergency authorization.

2006-00506 MACPHERSON, JOHN
NORTH SUTTON Kezar Lake

Requested Action:

Install a "T-shaped" dock consisting of a 4 ft x 20 ft seasonal pier extending off a 4 ft x 28 ft seasonal pier on 141.42 average ft of frontage on Kezar Lake.

APPROVE PERMIT:

Install a "T-shaped" dock consisting of a 4 ft x 20 ft seasonal pier extending off a 4 ft x 28 ft seasonal pier on 141.42 average ft of frontage on Kezar Lake.

With Conditions:

1. All work shall be in accordance with plans by Land Mark Services, LLC as received by the Department on May 8, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Docking structure shall be removed from the lake for five months during the non-boating season.
5. No portion of the "T-shaped" docking structure shall extend more than 30 feet from the reference line.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal pier with no more than two boatslips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Water depths submitted March 9, 2006 indicate that the "T-shaped" seasonal dock is limited to one boatslip and meets all criteria per Wt 402.01(b).

FORESTRY NOTIFICATION

2006-01189 MANNING, GORDON
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:

Sutton Tax Map 4 / 6, Lot# 597,495 / 610,001

2006-01190 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax map 1619, Lot# 1.2

2006-01191 FIFIELD TRUST, CHARLES
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Mason tax Map D, Lot# 10

2006-01239 PETER & GARY LLC
WEBSTER Unnamed Stream

COMPLETE NOTIFICATION:
Webster Tax Map 2, Lot# 5

2006-01241 PLACEY, PAULINE
HAVERHILL Unnamed Stream

COMPLETE NOTIFICATION:
Haverhill Tax Map# 425 Lot# 1

EXPEDITED MINIMUM

2005-02184 TRANSCANADA HYDRO NORTHEAST INC
PITTSBURG First Connecticut Lake

Requested Action:
Retain a 5 ft 6 in by 39 ft permanent dock on First Connecticut Lake, Pittsburg.

Conservation Commission/Staff Comments:
Trans Canada Hydro does not oppose the project

APPROVE AFTER THE FACT:
Retain a 5 ft 6 in by 39 ft permanent dock on First Connecticut Lake, Pittsburg.

With Conditions:

1. All work shall be in accordance with plans by Kiewit Construction Company dated September 1, 2005, as received by the Department on April 24, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. The dock shall not extend more than 39 ft lakeward from full lake elevation.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking structure that exceeds Wt 303.04.

2006-00582 PETRILL, BRIAN & JOANNE
MEREDITH Lake Winnepesaukee

Requested Action:

Construct a 625 sqft perched beach, remove and existing deck over the bank and repair an existing walkway on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 625 sqft perched beach, remove and existing deck over the bank and repair an existing walkway on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Walter Begley dated May 21, 2006, as received by the Department on May 23, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), construction of a beach.

2006-00740 USDA WHITE MTN NATIONAL FOREST, JOHN SERFASS
CARROLL Mill Brook

Requested Action:

Place downed trees and wood along 2.0 miles of perennial tributaries to and the main stem of Mill Brook to stabilize the upper reaches of the watershed (Phase I). Approximately 300 pieces of wood will be applied per linear mile.

APPROVE PERMIT:

Place downed trees and wood along 2.0 miles of perennial tributaries to and the main stem of Mill Brook to stabilize the upper reaches of the watershed (Phase I). Approximately 300 pieces of wood will be applied per linear mile.

With Conditions:

1. All work shall be in accordance with plans by the USDA White Mountain National Forest Service, as received by the Department on April 10, 2006.
2. Construction shall be inspected daily by a qualified biologist and/or forester to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow and between the months of May through September.
5. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
6. If applicable, appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during construction.
8. If applicable, wetland areas that are temporarily disturbed shall be regraded and seeded with a wetland seed mix upon completing the stream restoration project.
9. The permittee shall conduct a follow-up inspection after the first and second growing seasons, to review the success of the restoration project and schedule remedial actions if necessary. Photo documentation and a brief report shall be submitted to the Wetlands Bureau by December 1st of each year.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), projects deemed minimum impact by the Department based on the degree of the environmental impact.
2. The placement of trees in tributaries and the Mill Brook main stem will stabilize stream beds and banks and improve aquatic organism habitat.
3. The next phase (phase II-final) of the Mill Brook watershed restoration project will complete project goals by treating two 1/2 mile sections of Mill Brook, where approximately 200 trees will be placed at selected sites accessible by excavator. Along a third 1/2 mile section earthen piles and trees will be placed in a unclassified roadbed and trail corridor to eliminate and prevent water channels.
4. No comments from the NH Natural Heritage Bureau or the NH Fish and Game Department.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00817 LAPADULA LAND DEVELOPMENT LLC
LOUDON Unnamed Wetland

Requested Action:

Dredge and fill 2230 square feet of palustrine forested wetland including installation of a 35" x 24" arch CMP culvert for access in the subdivision of 63.719 acres into 10 single family residential lots and a 45.2 acre open space lot.

APPROVE PERMIT:

Dredge and fill 2230 square feet of palustrine forested wetland including installation of a 35" x 24" arch CMP culvert for access in the subdivision of 63.719 acres into 10 single family residential lots and a 45.2 acre open space lot.

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering dated April 12, 2006, as received by the Department on April 14, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Silt fencing must be removed once the area is stabilized.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00911 SAMMIS, ARNOLD & WENDY
EFFINGHAM Ossipee Lake

Requested Action:

Stabilize 43 linear ft of shoreline and replenish an beach area with 5 cubic yards of sand on Ossipee Lake, Freedom.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Stabilize 43 linear ft of shoreline and replenish an beach area with 5 cubic yards of sand on Ossipee Lake, Freedom.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Assoc dated January 23, 2006, as received by the Department on April 24, 2006.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Work shall be done during drawdown.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Repair shall maintain existing size, location and configuration.
6. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 5 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x).

2006-00913 BRENNAN, MARY
MEREDITH Lake Winnepesaukee

Requested Action:

Replace an existing 66 linear ft of concrete wall with a dry laid stone wall in the same location on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace an existing 66 linear ft of concrete wall with a dry laid stone wall in the same location on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 5, 2006, as received by the Department on April 24, 2006
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during drawdown.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Repair shall maintain existing size, location and configuration.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in

size, location or configuration.

2006-00946 ROCKE, GARY
CANAAN Unnamed Wetland

Requested Action:

Dredge and fill 150 square feet of forested wetlands to install a 15-inch x 25-foot HDPE culvert for common driveway access to both lots in a two lot subdivision on approximately 9 acres.

APPROVE PERMIT:

Dredge and fill 150 square feet of forested wetlands to install a 15-inch x 25-foot HDPE culvert for common driveway access to both lots in a two lot subdivision on approximately 9 acres.

With Conditions:

1. All work shall be in accordance with plans by Central Land Surveying, Inc. dated February 20, 2006, as received by the Department on April 28, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), alteration of less than 3,000 square feet of swamp.
2. The applicant provided a common driveway to both lots of the proposed 2-lot subdivision.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00947 CLARK, JAMES
NEWBURY Lake Sunapee

Requested Action:

Repair and replace an existing 10 ft by 43 ft permanent dock supported by two 6 ft by 10 ft cribs on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair and replace an existing 10 ft by 43 ft permanent dock supported by two 6 ft by 10 ft cribs on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on April 28, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-00964

MOUSE ISLAND PROPERTIES LLC

CENTER HARBOR Squam Lake

Requested Action:

Repair and replace an existing 20 ft by 12 ft permanent dock accessed by a 6 ft by 10 ft permanent dock supported by two 4 ft by 8 ft cribs on Squam Lake, Center Harbor.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair and replace an existing 20 ft by 12 ft permanent dock accessed by a 6 ft by 10 ft permanent dock supported by two 4 ft by 8 ft cribs on Squam Lake, Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental, as received by the Department on April 28, 2006.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

LAKES-SEASONAL DOCK NOTIF

2006-01217 DARAGON, JAMES
STODDARD Highland Lake

COMPLETE NOTIFICATION:
Stoddard Tax Map# 121 Lot# 21.4 Highland Lake

2006-01218 WOLFEBORO LODGE CONDOS, DOUGLAS MAGEE
WOLFEBORO Mirror Lake

COMPLETE NOTIFICATION:
Wolfeboro Tax Map# 126 Lot# 2 Mirror Lake

2006-01219 BASSETT, THOMAS P & BERNADETTE
CENTER BARNSTEAD Locke Lake

COMPLETE NOTIFICATION:
Center Barnstead Tax Map# 45 Lot# 49-7 Locke
Lake

2006-01235 SPELLMAN, LARRY
OSSIPEE Ossipee Lake

COMPLETE NOTIFICATION:
Ossipee Tax Map# 39 Lot# 33 Ossipee Lake

2006-01236 DEW DROP FARM LLC / DUYMAZLAR MEHMET
CENTER HARBOR Lake Winnepesaukee

COMPLETE NOTIFICATION:
Center Harbor Tax Map# 008 Lot# 1 Block# 36

Lake Winnepesaukee

2006-01238 MCCARTEN, WILLIAM
LANCASTER Martin Meadow Pond

COMPLETE NOTIFICATION:

Lancaster Tax Map# R26 Lot# 12 Martin Meadow
Pond

ROADWAY MAINTENANCE NOTIF

2006-01184 NH DEPT OF TRANSPORTATION, GREG PLACEY
BERLIN Roadside Ditch

2006-01185 NH DEPT OF TRANSPORTATION, GREG PLACEY
COLEBROOK Unnamed Stream

2006-01186 NH DEPT OF TRANSPORTATION, GREG PLACEY
DUMMER Unnamed Stream

2006-01187 NH DEPT OF TRANSPORTATION
HILLSBOROUGH Unnamed Stream

2006-01188 NH DEPT OF TRANSPORTATION
SWANZEY Unnamed Stream

2006-01233 NH DEPT OF TRANSPORTATION
WASHINGTON Unnamed Stream

2006-01242 **NH DEPT OF TRANSPORTATION**
JEFFERSON **Unnamed Stream**

2006-01243 **NH DEPT OF TRANSPORTATION**
JEFFERSON **Unnamed Stream**

2006-01245 **NH DEPT OF TRANSPORTATION**
WHITEFIELD **Unnamed Stream**

2006-01246 **NH DEPT OF TRANSPORTATION**
NORTHUMBERLAND **Unnamed Stream**

PERMIT BY NOTIFICATION

2005-02131 **SCHWOAKES REALTY TRUST DTD 10-2-03**
SUNAPEE **Unnamed Wetland**

Requested Action:

APPLICATION WITHDRAWN

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

WITHDRAW APPLICATION:

APPLICATION WITHDRAWN

2006-00909 **NICOLUDIS, LARRY**
BARRINGTON **Swains Lake**

Requested Action:

Install a 6 ft x 30 ft seasonal pier.

PBN IS COMPLETE:

Install a 6 ft x 30 ft seasonal pier.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a) construction of a seasonal pier.

2006-01005 VINTAGE TRUST
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair/Replace existing permanent docking facility.

PBN IS COMPLETE:

Repair/Replace existing permanent docking facility.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2006-01140 OLSON, DANA
TROY Unnamed Stream

Requested Action:

Dredge and fill 360 square feet of palustrine forested wetlands to install two (2), 24-inch x 20-foot culverts and associated headwalls at two (2) wetland crossings (one culvert per crossing) to construct a driveway for access to a single family building lot.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application but did not submit comments.

PBN IS COMPLETE:

Dredge and fill 360 square feet of palustrine forested wetlands to install two (2), 24-inch x 20-foot culverts and associated headwalls at two (2) wetland crossings (one culvert per crossing) to construct a driveway for access to a single family building lot.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.

2006-01203 ROGERS, STEPHEN
ALTON BAY Lake Winnepesaukee

Requested Action:

Install a seasonal boatlift.

PBN DISQUALIFIED:

Install a seasonal boatlift

With Findings:

1. This permit has been disqualified because there is existing outstanding enforcement file that has yet to be addressed under Enforcement file #1993-510.

